

# UPDATE ON THE COMMON INTEREST COMMUNITY BOARD



Common Interest Communities  
Workgroup of the Virginia Housing  
Commission

October 21, 2008

# Common Interest Community Board Members

■ F. James Ahlberg

CPA – McLean

■ Pamela Coerse

Time-Share Industry – Norfolk

■ Ronda S. DeSplinter

Community Manager – Fairfax

■ Kimberly B. Kacani (Vice-Chair)

Developer – Glen Allen

■ Douglas M. Kleine

Citizen – Alexandria

■ Milton W. Matthews

Community Manager – Reston

■ R. Lee Merritt

Community Manager – Moneta

■ Glenn H. Silver

Citizen – Centreville

■ Scott E. Sterling

Developer – McLean

■ Lucia Anna Trigiani (Chair)

Attorney – Alexandria

■ Katherine E. Waddell

Citizen – Richmond

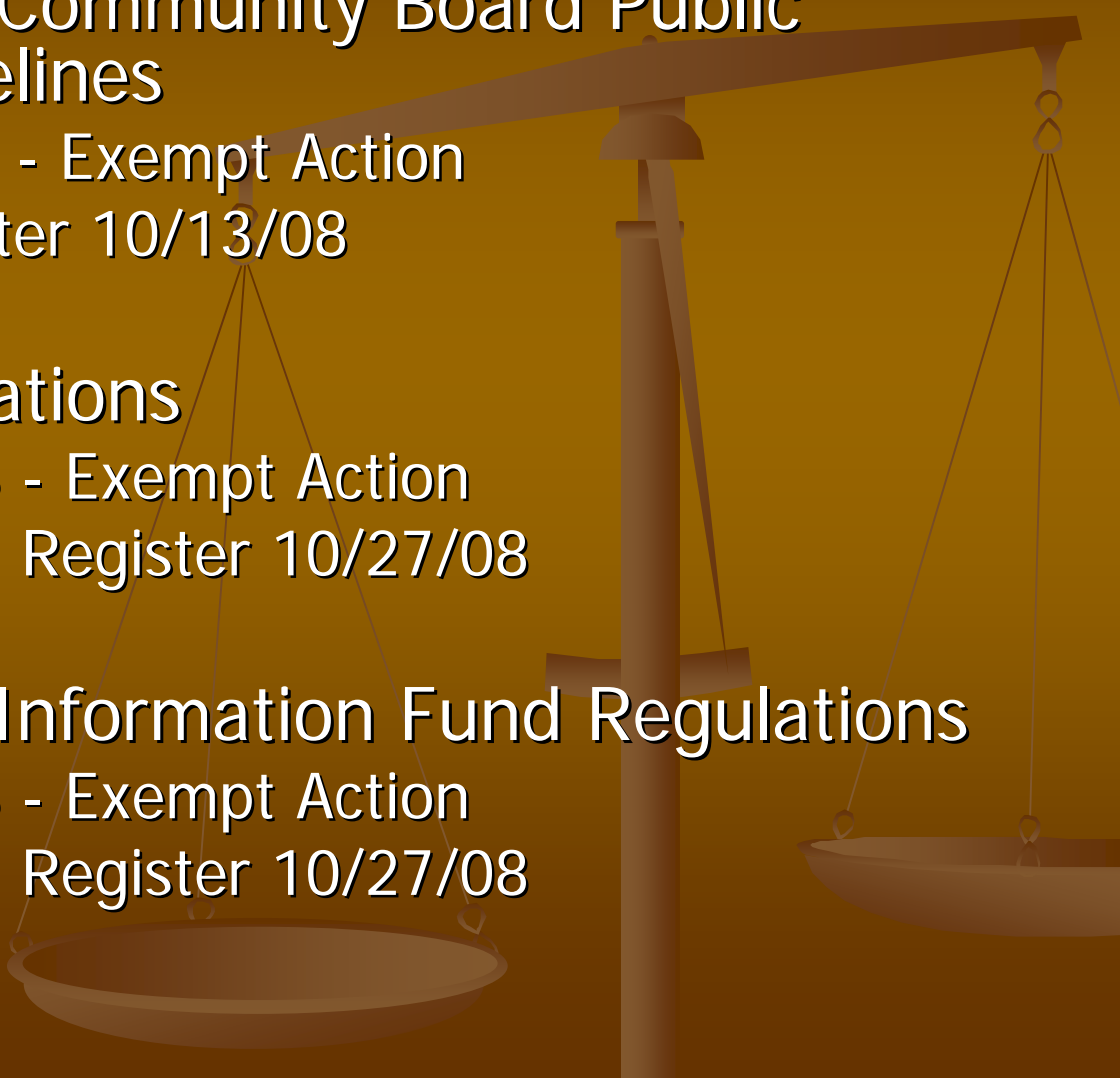


# Common Interest Community Board Staff Members

- Trisha L. Henshaw
  - Executive Director
- Thomas K. Perry
  - Property Registration Administrator
- Betty Jones
  - Administrative Assistant
- Lisa Robinson
  - Licensing Specialist




# Status of Regulatory Actions

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- Common Interest Community Board Public Participation Guidelines
    - Model Regulations - Exempt Action
    - Published in Register 10/13/08
    - Effective 11/13/08
  - Time-Share Regulations
    - Transfer from REB - Exempt Action
    - To be published in Register 10/27/08
    - Effective 11/27/08
  - CIC Management Information Fund Regulations
    - Transfer from REB - Exempt Action
    - To be published in Register 10/27/08
    - Effective 11/27/08

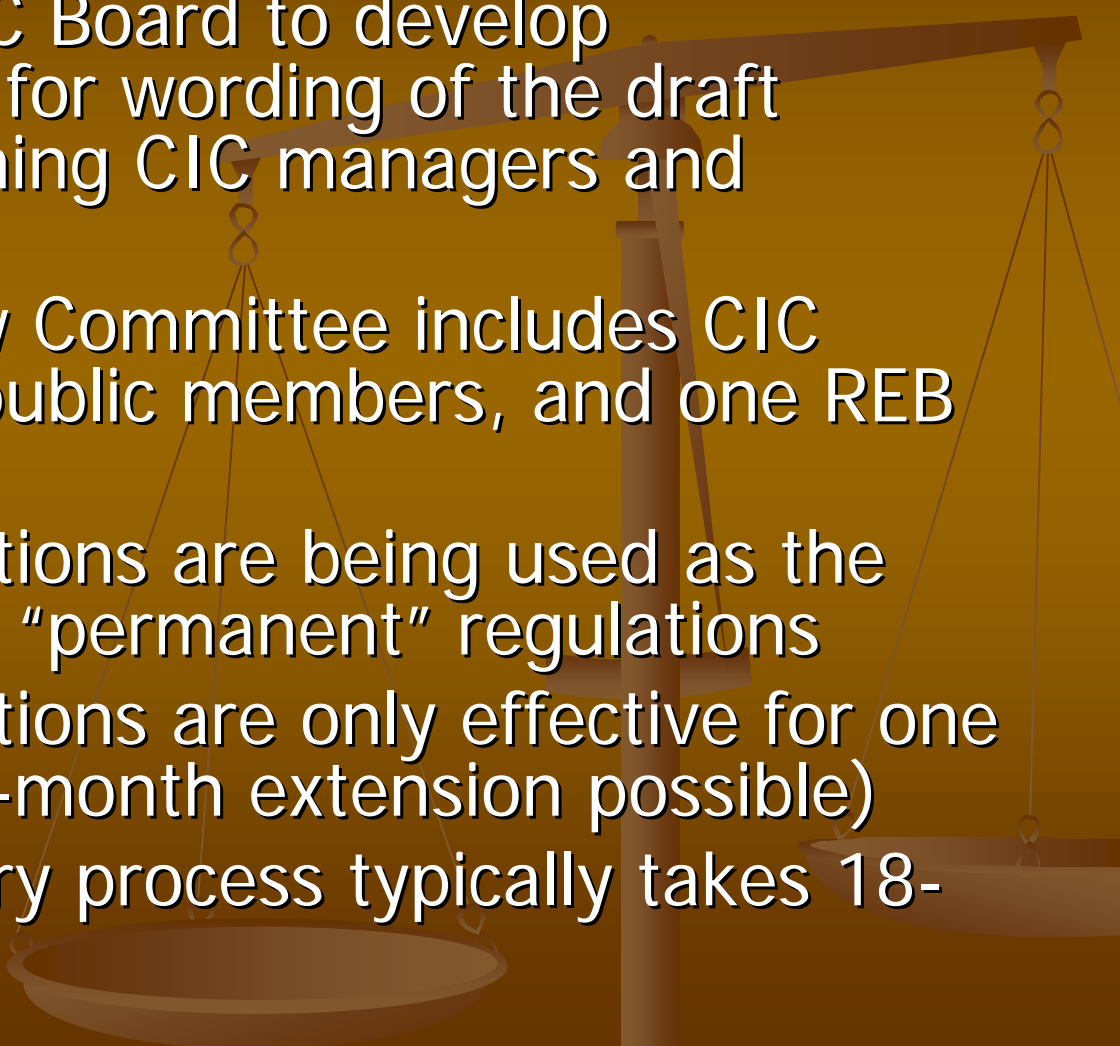
# Status of Regulatory Actions

- Emergency Condominium Regulations
  - Transfer from REB to CICB
  - Proceeding through Emergency Regulations Process
  - Could not be done through Exempt Action as Horizontal Property Act (Chapter 4.1 of Title 55), which is referenced in Condominium Regulations, was not amended to redefine “board” as the CICB
  - All Executive Branch approvals received; will be published in Register 11/10/08
  - Effective 11/13/08
  - Publication simultaneously begins NOIRA public comment period for permanent regulations

# Status of Regulatory Actions

- Emergency Common Interest Community Manager Regulations
    - Proceeding through Emergency Regulations
    - All Executive Branch approvals received; will be published in Register 11/10/08
    - Effective 11/13/08
    - Includes requirements for provisional licenses. Provisional license applications must be received by 1/1/09
  - “Permanent” Common Interest Community Manager Regulations
    - Publication simultaneously begins NOIRA public comment period for permanent regulations
    - Regulatory Review Committee formed to recommend language to CICB
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# Regulatory Review Committee

- Created by the CIC Board to develop recommendations for wording of the draft regulations governing CIC managers and employees
  - Regulatory Review Committee includes CIC Board members, public members, and one REB member
  - Emergency regulations are being used as the foundation for the “permanent” regulations
  - Emergency regulations are only effective for one year (with one six-month extension possible)
  - Standard regulatory process typically takes 18-24 months
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# Regulatory Review Committee Members

■ Theodore F. Adams, III  
Public Member - Attorney

■ F. James Ahlberg  
CIC Board Member

■ Scott M. Gaeser  
Real Estate Board Member

■ Michael A. Inman  
Public Member - Attorney

■ Kimberly B. Kacani (Chair)  
CIC Board Member

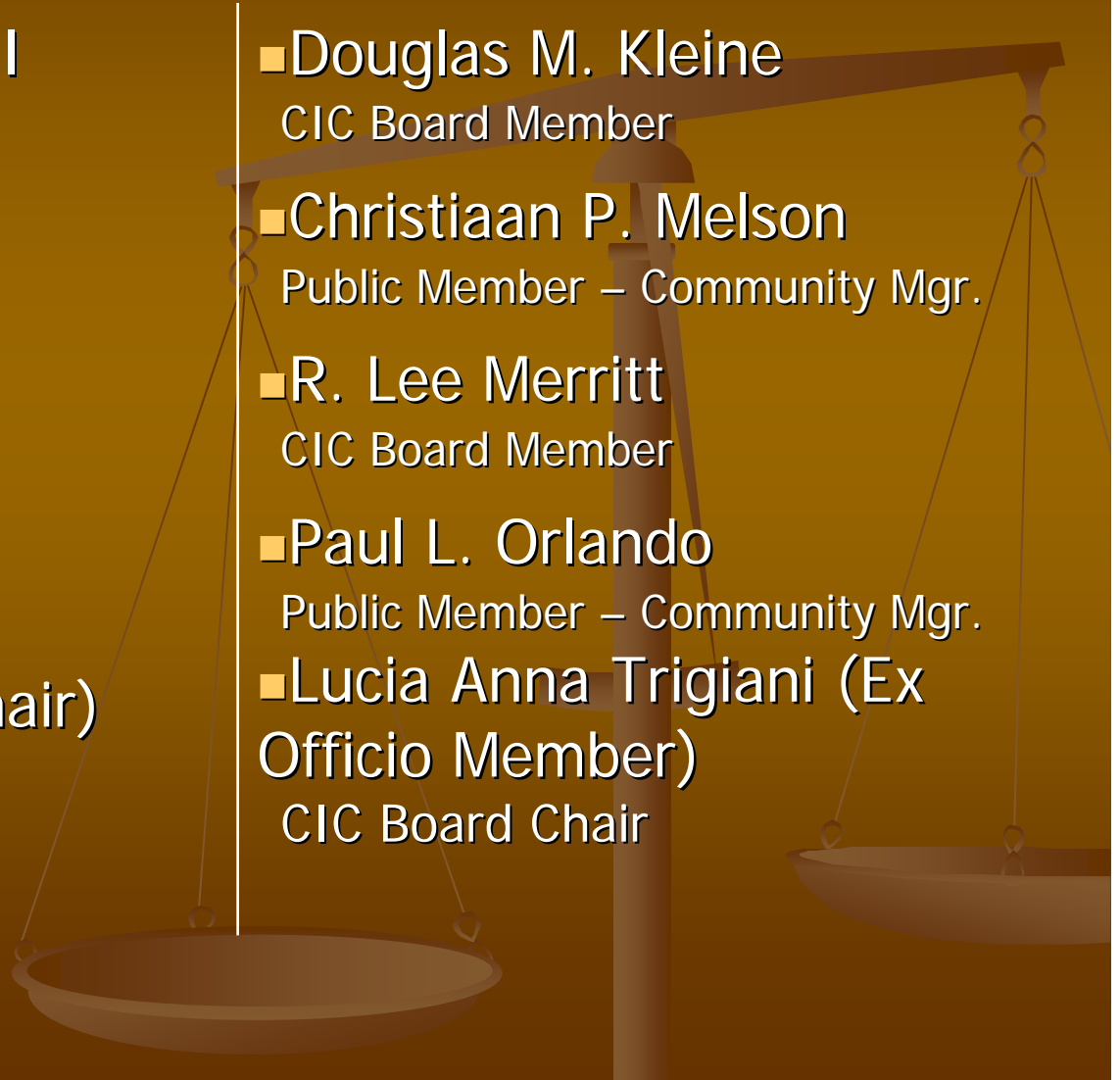
■ Douglas M. Kleine  
CIC Board Member

■ Christiaan P. Melson  
Public Member – Community Mgr.

■ R. Lee Merritt  
CIC Board Member

■ Paul L. Orlando  
Public Member – Community Mgr.

■ Lucia Anna Trigiani (Ex  
Officio Member)  
CIC Board Chair





# Upcoming Regulatory Actions

- In the coming months, the Board will be developing regulations to address the following:
  - Process for associations to resolve written complaints from the members of the association and other citizens (§ 55-530.E)
  - Property owners' associations registration procedures, registration maintenance (including annual report filings), and provisions related to disclosure packets

# Application Statistics

(as of 9/30/08)

- Time-Share registration filings have increased this year over the last three years, with 10 received to date.
- Condominium project registrations have decreased by 17% since this time last year, for a total of 82 received to date. This continues a downward trend since 2005.
- Staff has processed 92 new common interest community association applications and 515 annual report filings. For each, the incomplete application rate is approximately 40%.
- Application forms were carried over from REB and adopted by CICB. Forms will be reviewed and revised in the coming months as needed to address statutory and regulatory requirements.

# Annual Assessments

- § 55-516.1.C of the POAA, § 55-79.93:1.C of the Condominium Act, and § 55-504.1.C of the Cooperative Act require submittal of an annual assessment equal to the lesser of \$1,000 or 0.02% of the association's gross assessment income.
- Since July 1, 2008, the Board has collected 469 assessments for a total of \$31,252.00. Due to the number of questions received, financial information is reviewed by staff to ensure payment of the appropriate amount; however, confusion still exists.
- From September 16 to October 16, \$13,878.00 in assessments have been received. After reviewing the financial information, only \$3,621.37 was due with \$10,256.63 being processed for refund. 74% of the assessments collected during this time period were refunded.